

## SAYS IT WAS FRAUD

George Thompson Questions the City Extension Act,

BECAUSE OF ALLEGED JUGGLE

In the Passage of a Substitute by the Last Legislature—Yesterday's News of the Courts.

George Thompson, attorney for Charles F. Dickerman, who is charged with keeping his saloon open on Sunday on two different occasions, argued a motion in the superior court yesterday for dismissal of the case on the ground that the offense, if committed at all, were not committed within the corporate limits of the city of Grand Rapids and hence could not be tried in a municipal court. Dickerman runs a road house on the gravel road which leads to the Soldiers' home. His place is within the one-fourth mile strip on the north side of the city, over which so much discussion has arisen. Mr. Thompson cited the act of the squawbuck, extending the city limits and said the amendment to the charter which took in the one-fourth mile strip was not introduced within the fifty day limit.

He claimed a bill was passed extending the city limits as far north as the south boundary of the one-fourth mile strip in question, within the fifty-day limit. All persons interested in the extension of the city limits supposed that action settled the matter and came home. Afterwards, after the limit had expired, an amendment was introduced to take in the one-fourth mile strip of territory. The amendment was so entitled as to mislead the uninitiated. The title referred to amendments of the charter which had nothing to do with extending the city limits. Later a substitute was brought in for this amendment and was so worded as to extend the city limits one-fourth of a mile. The title of the substitute was not amended to conform to the matter in the substitute. It passed the house, but by some trickery the bill appeared in the senate with an amended title.

Question of Title. It was passed by the senate but when the bill came back to the house it appeared with its old title. Mr. Thompson held that an act passed by such jugglery should not and could not stand before any court. This question was taken to the supreme court once but the attorney neglected to have the original bill for the extension of the city limits cited in the case. As the original bill did not appear before the supreme court, it could not be determined whether the substitute to the bill was genuine subject matter of the original bill. Mr. Thompson was careful to have the bill and the substitute and the history of the whole handling of the bill in the legislature introduced in the case, as he will take it to the supreme court.

City Attorney Taylor hearing of the fight that was being made and realizing how seriously the question affected the city, came in and added in looking up the record of the bill in the state legislature. He denied that the substitute had its title amended in the senate. He said the title was amended in the house and was corrected in before it went to the senate.

Reported as Amended. Prosecuting Attorney Wolcott took up the defense of the bill and the substitute. He traced the action of the legislature in their passage. He showed that while the secretary of the senate, when he reported the substitute back to the house, referred to it under its original title, in the body of the secretary's message, he tells what the senate had done with the bill and refers to it under its amended title. The motion was overruled and the court remarked that he had no doubt as to the validity of the act. A jury was struck and the case was tried, resulting in an acquittal. There is another case against Dickerman, which will be tried today.

Minor Court Notes. Henry Hascher, convicted of keeping his saloon open after hours, was let down early yesterday morning by Judge Burlingame. The court said he would take into consideration the storm, which Mr. Hascher gave as an excuse for not turning his customers out at 11 o'clock, and fined him but \$50 and costs.

Edward Boyland, convicted of keeping his saloon open on Sunday, was sentenced to pay a fine and costs, amounting to \$100, in the superior court yesterday. He paid and was discharged.

Judge Burlingame yesterday granted a petition of Emma Mustertky for an increase of alimony to \$4 per week. Her husband, Leonard Mustertky, from whom she was divorced some time ago, has been paying her \$3 per week.

Jerome Lee, who pleaded guilty to a charge of keeping his saloon open on Sunday, paid \$50 in the superior court yesterday. He pleaded guilty to two other charges of a similar nature and will get about \$50 fine in each case.

The examination of John Ellinger, charged with indecent exposure, will be resumed Saturday.

Annie E. Himes petitioned the probate court yesterday for the probate of the will of the late John Himes. He left an estate of \$5,000.

The third annual statement of Dr. A. E. Luhn, as administrator of his wife's estate, was filed yesterday. The estate is worth about \$20,000.

Edgar Courtwright, a son of Cornelius Courtwright of Ada township, petitioned the probate court to adjudge his father insane. He has properly enough to support him in the asylum. An examination will be made today.

A judgment of \$100.00 was granted the plaintiff in the case of Charles E. Morgan vs. John McQueen in Judge Groves' court yesterday.

M. Hibner and his wife Lena, who whipped Constable Weeks when he attempted to levy on some of their goods,

were let off on payment of costs in the police court yesterday.

United States Circuit Court. JUDGE SEVERENS. The Toledo, Ann Arbor & North Michigan Railway company vs. Edward G. Chambers; condemnation proceedings; trial in progress.

Circuit Court—Part I. JUDGE GROVES. Felix Cornelissen vs. Anna De Vries; continued by consent. Charles E. Morgan vs. John McQueen, assumpsit; judgment for plaintiff, \$100.00. Jennie M. White vs. A. C. Jackson, respondent; on trial.

Circuit Court—Part II. JUDGE ADAMS. Carnegie Phipps & Co. vs. J. C. Hall, assumpsit; stay extended sixty days.

Superior Court. JUDGE BURLINGAME. Leonard Mustertky vs. Emma Mustertky, chancery; weekly allowance of \$5 increased to \$4, to be paid by the complainant to the defendant. The People vs. Edward B. Iland, saloon open on Sunday; sentenced to pay a fine of \$50.00, and \$12.50 costs, or in default three months in jail; paid and discharged. The People vs. Henry Hascher, saloon open after hours; sentenced to pay a fine of \$50 and \$7 costs; paid and discharged. The People vs. Charles F. Dickerman, saloon open on Sunday; motion to dismiss argued and denied; trial and acquittal. The People vs. Jerome Lee, saloon open on Sunday; fined \$50.

Police Court. JUDGE HAGGERTY. J. F. Lucas, drunk, paid \$5.00; James Johnson, violation of the state liquor law; held for trial. J. F. Lucas, assault and battery; adjourned to February 23. M. Hibner and Lena Hibner, resisting an officer; no fine; costs paid; Fred Van Kuren, forgery; adjourned to January 20. Ed Dutton, larceny; sentence suspended; costs paid. John Ellinger, indecent exposure; adjourned to January 21.

Marriage Licenses. The following is a list of the marriage licenses issued since last publication, with the names, residences (when out of the city), and ages of the parties. Age. John Jelen and Catherine Connor, 22-23. Lymon A. Davidson and Christine May, 22-23.

Real Estate Transfers. Orris H. Woodin to Sally M. Broom, 100.00. Cash & 25.00, ex. w. r. 125. Wm. J. Stuart to John M. Young, lot 12, Melrose's sub., 1.75.

Edgar A. Fletcher to Martha A. Fletcher, 1/4 of lot 12 and 1/4 of lot 13, 1/4 of lot 14 and 1/4 of lot 15, 1/4 of lot 16 and 1/4 of lot 17, 1/4 of lot 18 and 1/4 of lot 19, 1/4 of lot 20 and 1/4 of lot 21, 1/4 of lot 22 and 1/4 of lot 23, 1/4 of lot 24 and 1/4 of lot 25, 1/4 of lot 26 and 1/4 of lot 27, 1/4 of lot 28 and 1/4 of lot 29, 1/4 of lot 30 and 1/4 of lot 31, 1/4 of lot 32 and 1/4 of lot 33, 1/4 of lot 34 and 1/4 of lot 35, 1/4 of lot 36 and 1/4 of lot 37, 1/4 of lot 38 and 1/4 of lot 39, 1/4 of lot 40 and 1/4 of lot 41, 1/4 of lot 42 and 1/4 of lot 43, 1/4 of lot 44 and 1/4 of lot 45, 1/4 of lot 46 and 1/4 of lot 47, 1/4 of lot 48 and 1/4 of lot 49, 1/4 of lot 50 and 1/4 of lot 51, 1/4 of lot 52 and 1/4 of lot 53, 1/4 of lot 54 and 1/4 of lot 55, 1/4 of lot 56 and 1/4 of lot 57, 1/4 of lot 58 and 1/4 of lot 59, 1/4 of lot 60 and 1/4 of lot 61, 1/4 of lot 62 and 1/4 of lot 63, 1/4 of lot 64 and 1/4 of lot 65, 1/4 of lot 66 and 1/4 of lot 67, 1/4 of lot 68 and 1/4 of lot 69, 1/4 of lot 70 and 1/4 of lot 71, 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